

Message Text

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ACTION ACDA-12

INFO OCT-01 SOE-02 AF-10 ARA-10 CIAE-00 DODE-00 EA-10
EUR-12 PM-05 H-01 INR-10 IO-13 L-03 NASA-01
NEA-10 NSAE-00 NSC-05 OIC-02 SP-02 PA-01 DOE-11
CEQ-01 OES-07 SS-15 USIA-06 ACDE-00 ISO-00 MCE-00
/150 W

-----042500 161423Z /41

P 161332Z FEB 78
FM USMISSION GENEVA
TO SECSTATE WASHDC PRIORITY 6041
INFO AMEMBASSY MOSCOW
USMISSION USNATO
AMEMBASSY LONDON
AMEMBASSY PARIS
AMEMBASSY BONN

C O N F I D E N T I A L SECTION 01 OF 02 GENEVA 02410

CW MESSAGE NO. 30

E.O. 11652: GDS
TAGS: PARM US UR
SUBJECT: US-USSR CHEMICAL WEAPONS NEGOTIATIONS, ROUND
SEVEN: SUMMARY OF MAJOR ISSUES

REF: 77 GENEVA 9404

1. THIS TELEGRAM SUMMARIZES THE ISSUES WHICH SEEM TO BE
MOST IMPORTANT AS EXPERTS RETURN TO CAPITALS FOR CONSULTA-
TIONS. GENERALLY SPEAKING THE ISSUES ARE NOT MUCH DIFFER-
ENT FROM THOSE AT THE END OF ROUND SIX (REFTEL). SEPTELS
PROVIDE A SUMMARY OF ROUND SEVEN DEVELOPMENTS TO DATE AND
LIST DETAILED BACKSTOPPING ITEMS.

- A. IRRITANTS. TO DATE THE SOVIETS HAVE NOT TAKEN A
DIRECT POSITION ON THE U.S. PROPOSAL TO EXCLUDE RIOT CON-
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TROL CHEMICALS FROM THE CONVENTION. THEY HAVE SHOWN
CONSIDERABLE INTEREST, HOWEVER, BY ASKING MANY QUESTIONS
TO CLARIFY THEIR UNDERSTANDING OF THE U.S. APPROACH.
OUR STRONG IMPRESSION IS THAT THE SOVIETS WOULD NOT OPPOSE
THE MILITARY USES OF RIOT CONTROL CHEMICALS BY THE U.S.
SPECIFIED IN EXECUTIVE ORDER 11850, OR PRODUCTION OF RCC'S
FOR SUCH PURPOSES. HOWEVER, IT SEEMS CLEAR THAT THE

SOVIETS WISH TO MINIMIZE THEIR IMAGE PROBLEMS BY MAKING THE EXCLUSION IN A LESS OBVIOUS WAY THAN THE EXPLICIT EXEMPTION PROPOSED BY THE U.S. THEY ALSO OBJECT TO RCC PRODUCTION FOR PURPOSES INCONSISTENT WITH E.O. 11850. WE BELIEVE THAT A BASIS FOR AGREEMENT ON THE RCC ISSUE THAT WOULD ACCOMPLISH THE U.S. OBJECTIVE IS EMERGING AND SUGGEST THE U.S. CONSIDER REVISING THE CURRENT GUIDANCE ACCORDINGLY.

- B. VERIFICATION PROVISIONS FOR SUPER-TOXIC CHEMICALS. THE U.S. HAS ADVOCATED STRICTER VERIFICATION PROVISIONS FOR SUPER-TOXIC CHEMICALS THAN FOR LESS TOXIC CHEMICALS; A TOXICITY THRESHOLD WOULD BE ESTABLISHED AS A DEMARCATION LINE. IN THE PAST THE SOVIETS APPEARED TO ACCEPT THE CONCEPT OF A SUPER-TOXIC THRESHOLD, ALTHOUGH NOT THE ASSOCIATED VERIFICATION RATIONALE. THEY NOW HOLD THAT "NEAR-SUPER-TOXIC" CHEMICALS ARE EQUALLY AS IMPORTANT AS THE "SUPER-TOXIC" ONES AND CONSEQUENTLY HAVE DROPPED THEIR PROVISION FOR THE SUPER-TOXIC THRESHOLD. WE BELIEVE THAT THE IMPLICATIONS OF THIS APPROACH SHOULD BE EXPLORED, BUT THAT IN THE MEANTIME THE U.S. SHOULD MAINTAIN ITS POSITION.

- C. TYPE AND QUANTITY OF CHEMICALS, AND DELIVERY DEVICES, WHICH CAN BE RETAINED. THE U.S. POSITION IS THAT THERE SHOULD BE A CEILING ON QUANTITIES OF CHEMICALS RETAINED FOR PROTECTIVE PURPOSES AND THAT THE RETENTION OF

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CHEMICAL MUNITIONS FOR SUCH PURPOSES SHOULD NOT BE ALLOWED. WE HAD PREVIOUSLY BELIEVED THAT THE SOVIETS COULD ACCEPT THIS APPROACH. THEY NOW HOLD THAT EACH STATE PARTY SHOULD HAVE THE RIGHT TO DETERMINE FOR ITSELF WHAT SHOULD BE RETAINED OR PRODUCED FOR NONHOSTILE PURPOSES, BUT INFORMALLY HAVE IMPLIED THEY ARE WILLING TO ACCEPT A CEILING ON RETAINED AGENTS IF THIS CAN BE TIED TO SOME SORT OF SLIDING SCALE FOR DIFFERENT-SIZED STATES. WE RECOMMEND THAT THE U.S. EXPLORE THE POSSIBILITY OF DOING SO AND DEVELOP ITS POSITION ON PERMISSIBLE TRAINING DEVICES.

- D. CHALLENGE INSPECTION-RELATED QUESTIONS. BOTH SIDES NOW APPEAR TO AGREE THAT A REQUEST FOR A CHALLENGE INSPECTION CAN ONLY COME FROM A STATE PARTY, ALTHOUGH THE SOVIETS HAVE NOT YET RESPONDED TO THE U.S. PROPOSAL ON THIS ISSUE. HOWEVER, TWO IMPORTANT ASPECTS ARE YET UNRESOLVED:

- (1) RIGHTS AND FUNCTIONS OF PERSONNEL CARRYING OUT CHALLENGE ON-SITE INSPECTION. THE U.S. HAS TAKEN THE POSITION THAT SUCH RIGHTS AND FUNCTIONS SHOULD BE SPECIFIED

IN THE CONVENTION, WHILE THE SOVIETS MAINTAIN THAT THE HOST PARTY SHOULD ESTABLISH THE RULES. HOWEVER, THEY HAVE SAID THEY ARE WILLING TO EXCHANGE VIEWS ON RIGHTS AND FUNCTIONS OF INSPECTORS. WE RECOMMEND THAT THE U.S.G. DEVELOP ITS POSITION IN GREATER DETAIL TO PROVIDE MATERIAL FOR DISCUSSIONS LATER IN ROUND SEVEN.

- (2) OBLIGATION TO PROVIDE A FULL EXPLANATION IF A REQUEST FOR CHALLENGE INSPECTION IS REFUSED. THE U.S. HAS STRESSED THE IMPORTANCE OF SUCH AN OBLIGATION. THE SOVIETS TAKE THE POSITION THAT THE STATE PARTY INVOLVED

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C O N F I D E N T I A L SECTION 02 OF 02 GENEVA 02410

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SHOULD DETERMINE WHAT EXPLANATION, IF ANY, SHOULD BE MADE, BUT IN A DELPHIC MANNER HAVE IMPLIED THEY HAVE SOME FLEXIBILITY ON THIS MATTER. WE BELIEVE THE U.S.POSITION SHOULD BE MAINTAINED.

- E. DECLARATIONSO F STOCKS AND FACILITIES.
- (1) GENERAL DECLARATION OF STOCKS PRIOR TO ENTRY- INTO-FORCE OF THE CONVENTION. THE U.S. POSITION IS THAT SUCH A DECLARATION WOULD BE AN IMPORTANT CONFIDENCE-BUILD- ING MEASURE. THE SOVIET POSITION IS THAT THE ECHANGE OF

SUCH SECURITY-RELATED INFORMATION PRIOR TO ENTRY-INTO-FORCE
OF LEGAL OBLIGATIONS IS UNACCEPTABLE.

- (2) DECLARATION OF FACILITIES. THE U.S. HAS PRO-
POSED THAT FACILITIES WHICH HAVE PRODUCED THE MEANS OF
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CHEMICAL WARFARE BE DECLARED AND EVENTUALLY DESTROYED.
OUR IMPRESSION AT THE END OF ROUND SIX WAS THAT THE SOVIETS
COULD AGREE TO DECLARE FACILITIES, BUT WISHED TO PERMIT
CONVERSION TO PEACEFUL PURPOSES. IT IS NOW CLEAR THAT
UNDER THEIR APPROACH ONLY "CAPABILITIES" WOULD BE DECLARED.
WE DO NOT HAVE A CLEAR UNDERSTANDING, HOWEVER, OF HOW MUCH
(OR LITTLE) SUCH A DECLARATION WOULD INCLUDE, EXCEPT THAT
ONLY "CURRENT CAPABILITIES" WOULD BE DECLARED.

- F. REQUIRED INTERNATIONAL ON-SITE VERIFICATION.
THIS IS THE KEY UNRESOLVED ISSUE. THE U.S. HAS EMPHASIZED
THE IMPORTANCE OF REQUIRED ON-SITE VERIFICATION OF DESTRUC-
TION OF DECLARED CW STOCKS AND OF THE DISPOSITION OF DE-
CLARED CW FACILITIES. THE SOVIET POSITION IS THAT VERIFI-
CATION BY THEIR PROPOSED NATIONAL CONTROL ORGANIZATION,
TOGETHER WITH THE POSSIBILITY OF CHALLENGE INSPECTION,
WOULD SUFFICE. HOWEVER, WE CONTINUE TO HAVE THE IMPRESSION
THAT THE FACILITIES VERIFICATION POSES MORE PROBLEMS FOR
THE SOVIETS THAN DOES VERIFICATION OF DESTRUCTION OF
STOCKS. THEY HAVE CONSISTENTLY AVOIDED TALKING ABOUT
FACILITIES VERIFICATION AT ALL, ALTHOUGH THEY DO DISCUSS
VERIFICATION OF DESTRUCTION OF STOCKS. OVERALL, WE
BELIEVE THIS ISSUE IS NOT LIKELY TO BE RESOLVED AT THE US-
SOVIET DELEGATION LEVEL AND WILL EVENTUALLY NEED TO BE
DISCUSSED BETWEEN THE U.S. AND USSR AT VERY SENIOR LEVELS.
HOWEVER, WE DO NOT BELIEVE OTHER ISSUES HAVE BEEN SUFFI-
CIENTLY CLEARED AWAY FOR THE ON-SITE INSPECTION ISSUE
TO BE ESCALATED AT THIS TIME. VANDEN HEUVEL

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